

LORI ESQUIVEL, et al.,)	Case No. 2:15-cv-00135-JCM-NJK
Plaintiff(s),)	ORDER DENYING WITHOUT
vs.)	PREJUDICE STIPULATION
COUNTRYWIDE HOME LOANS, INC., et al.,)	(Docket No. 31)
Defendant(s).)	

On April 10, 2015, the Court ordered the parties to submit a joint proposed discovery plan or show cause why they failed to comply with the deadline to do so. Docket No. 29. The Court has now received a stipulation to stay the discovery proceedings pending resolution of various motions. Docket No. 31. Because that stipulation does not address the proper standards, it is hereby **DENIED** without prejudice.

“The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when a potentially dispositive motion is pending.” *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011). The case law in this District makes clear that requests to stay all discovery may be granted when: (1) the pending motion is potentially dispositive; (2) the potentially dispositive motion can be decided without additional discovery; and (3) the Court has taken a “preliminary peek” at the merits of the potentially dispositive motion and is convinced that the plaintiff will be unable to state a claim for relief. *See Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013). The parties’ stipulation fails to address the above standards. Accordingly, the parties stipulation (Docket No.

1 31) is **DENIED** without prejudice. No later than May 4, 2015, the parties shall either submit a revised
2 stipulation, that addresses the appropriate standards, or a joint proposed discovery plan that complies
3 with the Local Rules.

4 IT IS SO ORDERED.

5 DATED: April 27, 2015

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9 NANCY J. KORPE
10 United States Magistrate Judge
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